



Public Service Commission

-M-E-M-O-R-A-N-D-U-M-

DATE: April 1, 1996

TO: Division of Records and Reporting
Division of Legal Services, Alice Crosby

FROM: Division of Water & Wastewater, J. Travis Coker *JTC fwm*

RE: DOCKET NO. 960309-WU; Request for exemption from Florida Public Service Commission regulation for provision of water service by Complete Foods in DeSoto County.

On March 8, 1996, Ms. Sherry M. Zendel, President of Complete Foods, filed an application on behalf of Complete Foods for an exemption as a water service provider from the Florida Public Service Commission under Section 367.021 (12), Florida Statutes, and Rule 25-30.060(3)(j), Florida Administrative Code as a non-jurisdictional entity. The location of the water system is 2998 S.W. County Road 760, Arcadia, Florida, 33821. The system provides water service for restrooms and a drinking water fountain. The mailing address is P.O. Box 1230, Nocatee, Florida, 33864-9998. Mr. Michael W. Ritzie will act as the contact person for Commission purposes. Complete Foods is a food processing business operating as a corporation. Water service is provided by a well. Wastewater service is provided by septic tank.

ACF In its application, Complete Foods states it provides water service and there is no
AP charge for providing utility service. Additionally, all costs of providing service are treated
A or recovered as operational expenses. The applicant acknowledged Section 837.06, Florida
CA Statutes, regarding false statements.

CM Based upon the facts presented herein, staff believes Complete Foods is exempt
CP from Commission regulation as a water service provider as defined by Section 367.021(12),
EW Florida Statutes, and Rule 25-30.060(3)(j), Florida Administrative Code. Section
LE 2.08(C)(14) of the Administrative Procedures Manual (APM) gives staff the administrative
LI authority to approve requests for exempt status when the application is clear-cut and without
OP controversy.

RO Therefore, staff recommends that an administrative order be issued as soon as
SEC possible finding Complete Foods exempt from Commission regulation pursuant to Section
WAS 367.021(12), Florida Statutes. Staff further recommends that the order require Complete
OTH Foods to notify this Commission in the event of any change of circumstances or method of
 operation of its water system. Furthermore, staff recommends that this docket be closed.